

Notice of Allowability

Application No.

10/825,615

Examiner

Charles A. Marmor, II

Applicant(s)

PAASCH ET AL.

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3736

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

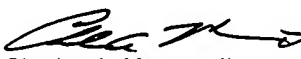
1. ☒ This communication is responsive to the Amendment filed 10 August 2005 and the telephone interview of 22 September 2005.
2. ☒ The allowed claim(s) is/are 1-8 and 10-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 09222005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Charles A. Marmor, II
Primary Examiner
Art Unit 3736

EXAMINER'S AMENDMENT

1. This Office Action is responsive to the amendment filed August 10, 2005. The Examiner acknowledges the amendments to the specification; the amendments to the drawings; the amendments to claims 1, 3, 5, 10, 12 and 13; and the addition of new claims 21-25. Claims 1-25 are pending.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Cofield on September 22, 2004.

3. The application has been amended as follows:

a. Claim 1 has been amended as follows:

1. (currently amended) A urine collection device, comprising:
 - a support apparatus for supporting the urine collection device on a toilet;
 - an attachment section for detachably coupling to a sample holder; and
 - a collection section including an elongated channel integrally formed with the support apparatus ~~and including an elongated channel~~ for receiving and directing urine into the sample holder;

wherein the support apparatus includes oppositely opposed arms extending in opposite directions from the attachment section.

b. Claim 9 has been canceled.

c. Claim 10 has been amended as follows:

10. (currently amended) A urine collector, comprising:
a support apparatus for supporting the urine collector on a toilet;
a collection section for receiving the urine; and
a cap section for detachably coupling to and substantially covering a removable sample cup and directing the urine from the collection section into the sample cup;

wherein the cap section includes a first opening for receiving the urine from the collection section and a second overflow opening that allows urine to overflow from the sample cup into the toilet.

d. Claim 17 has been amended as follows:

17. (currently amended) A urine sample collection device, comprising:
an apparatus configured to sit on a toilet bowl and receive urine, the apparatus including an elongated channel funneling the received urine into a detachable sample cup and a dam that prevents an initial portion of the urine from entering the sample cup.

e. Claims 24 and 25 have been canceled.

4. The following is an examiner's statement of reasons for allowance:

Regarding claims 1, 2, 21, 22 and 5-8, no prior art of record teach or fairly suggest a urine collection device, as claimed by Applicant, where a collection section including an elongated channel integrally formed with a support apparatus having oppositely opposed arms extending in opposite directions from the attachment section receives and directs urine into the sample holder.

Regarding claims 3 and 4, no prior art of record teach or fairly suggest a urine collection device, as claimed by Applicant, where the flow divider includes a cavity in the collection section that collects the first portion of the urine and a hole at a bottom end of the cavity directs the first portion of the urine into the toilet.

Regarding claims 10, 11, 23, 15 and 16, no prior art of record teach or fairly suggest a urine collection device, as claimed by Applicant, where a cap section, including a first opening for receiving the urine from the collection section and a second overflow opening that allows urine to overflow from the sample cup into the toilet, detachably couples to and substantially covers a removable sample cup and directs the urine from the collection section into the sample cup.

Regarding claim 12, no prior art of record teach or fairly suggest a urine collection device, as claimed by Applicant, where the preflow divider includes a chamber in the collection section that collects the first portion of the urine and a hole at a bottom end of the chamber directs the first portion of the urine into the toilet.

Regarding claims 13 and 14, no prior art of record teach or fairly suggest a urine collection device, as claimed by Applicant, where a preflow divider for directing a first portion of the received urine away from the sample cup and into the toilet and where the cap section

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includes a first opening for receiving the urine from the collection section and a second overflow opening that allows urine to overflow from the sample cup into the toilet.

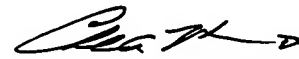
Regarding claims 17-20, no prior art of record teach or fairly suggest a urine collection device, as claimed by Applicant, that is configured to sit on a toilet bowl to receive urine and that includes an elongated channel to funnel the received urine into a detachable sample cup and a dam for preventing an initial portion of the urine from entering the sample cup.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles A. Marmor, II whose telephone number is (571) 272-4730. The examiner can normally be reached on M-TH (7:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on (571) 272-4726. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Charles A. Marmor, II
Primary Examiner
Art Unit 3736

cam
September 22, 2005